

# FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO  
Public Service Company of Oklahoma

AUTHORIZING THE OPERATION OF  
Oklaunion Power Station  
Electric Services

LOCATED AT  
Wilbarger County, Texas  
Latitude 34° 5' 0" Longitude 99° 10' 37"  
Regulated Entity Number: RN101062255

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site, emission units and affected source listed in this permit. Operations of the site, emission units and affected source listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site, emission units and affected source authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site, emission units and affected source.

Permit No:     O38     Issuance Date:                                 

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For the Commission

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## **General Terms and Conditions**

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

In accordance with 30 TAC § 122.144(1), records of required monitoring data and support information required by this permit, or any applicable requirement codified in this permit, are required to be maintained for a period of five years from the date of the monitoring report, sample, or application unless a longer data retention period is specified in an applicable requirement. The five year record retention period supersedes any less stringent retention requirement that may be specified in a condition of a permit identified in the New Source Review Authorization attachment.

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).

### **Special Terms and Conditions:**

#### **Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting**

1. Permit holder shall comply with the following requirements:
  - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
  - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
  - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.

- D. When a grouped citation, notated with a [G] in the Applicable Requirements Summary, contains multiple compliance options, the permit holder must keep records of when each compliance option was used.
  - E. Emission units subject to 40 CFR Part 63, Subparts ZZZZ and UUUUU as identified in the attached Applicable Requirements Summary table are subject to 30 TAC Chapter 113, Subchapter C, §§ 113.1090 and 113.1300, respectively, which incorporates the 40 CFR Part 63 Subpart by reference.
2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):
- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
  - B. Title 30 TAC § 101.3 (relating to Circumvention)
  - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
  - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
  - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
  - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
  - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Start-up, and Shutdown Reporting and Recordkeeping Requirements)
  - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
  - I. Title 30 TAC § 101.222 (relating to Demonstrations)
  - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. Visible emissions from stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 that are not listed in the Applicable Requirements Summary attachment for 30 TAC Chapter 111, Subchapter A, Division 1, shall not exceed 20% opacity averaged over a six-minute period. The permit holder shall comply with the following requirements for stationary vents at the site subject to this standard:
    - (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
    - (ii) Title 30 TAC § 111.111(a)(1)(E)
    - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)

- (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that are not capable of producing visible emissions such as vents that emit only colorless VOCs; vents from non-fuming liquids; vents that provide passive ventilation, such as plumbing vents; or vent emissions from any other source that does not obstruct the transmission of light. Vents, as specified in the “Applicable Requirements Summary” attachment, that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) are not subject to the following periodic monitoring requirements:
- (1) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
  - (2) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
  - (3) Records of all observations shall be maintained.
  - (4) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer’s eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

(5) Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

B. For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(7)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(7)(B)(i) or (ii)
- (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
  - (1) An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the

air emission source or enclosed facility is not operating for the entire quarter.

- (2) Records of all observations shall be maintained.
- (3) Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (4) Compliance Certification:
  - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A)
  - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader

- C. For visible emissions from all other sources not specified in 30 TAC § 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(8)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(8)(B)(i) or (ii)
- (iii) For a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
  - (1) An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
  - (2) Records of all observations shall be maintained.
  - (3) Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
  - (4) Compliance Certification:
    - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A)
    - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(8)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the



source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- D. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
  - E. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
  - F. Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153, shall comply with the following requirements:
    - (i) Emissions of PM from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (relating to Allowable Emissions Limits)
    - (ii) Sources with an effective stack height ( $h_e$ ) less than the standard effective stack height ( $H_e$ ), must reduce the allowable emission level by multiplying it by  $[h_e/H_e]^2$  as required in 30 TAC § 111.151(b)
    - (iii) Effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c)
  - G. Outdoor burning, as stated in 30 TAC § 111.201, shall not be authorized unless the following requirements are satisfied:
    - (i) Title 30 TAC § 111.205 (relating to Exception for Fire Training)
    - (ii) Title 30 TAC § 111.207 (relating to Exception for Recreation, Ceremony, Cooking, and Warmth)
    - (iii) Title 30 TAC § 111.209 (relating to Exception for Disposal Fires)
    - (iv) Title 30 TAC § 111.213 (relating to Exception for Hydrocarbon Burning)
    - (v) Title 30 TAC § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
    - (vi) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
4. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 60, unless otherwise stated in the applicable subpart:
- A. Title 40 CFR § 60.7 (relating to Notification and Recordkeeping)

- B. Title 40 CFR § 60.8 (relating to Performance Tests)
  - C. Title 40 CFR § 60.11 (relating to Compliance with Standards and Maintenance Requirements)
  - D. Title 40 CFR § 60.12 (relating to Circumvention)
  - E. Title 40 CFR § 60.13 (relating to Monitoring Requirements)
  - F. Title 40 CFR § 60.14 (relating to Modification)
  - G. Title 40 CFR § 60.15 (relating to Reconstruction)
  - H. Title 40 CFR § 60.19 (relating to General Notification and Reporting Requirements)
5. The permit holder shall comply with the requirements of 30 TAC Chapter 113, Subchapter C, § 113.100 for units subject to any subpart of 40 CFR Part 63, unless otherwise stated in the applicable subpart.

#### **Additional Monitoring Requirements**

6. Unless otherwise specified, the permit holder shall comply with the compliance assurance monitoring requirements as specified in the attached “CAM Summary” upon issuance of the permit. In addition, the permit holder shall comply with the following:
- A. The permit holder shall comply with the terms and conditions contained in 30 TAC § 122.147 (General Terms and Conditions for Compliance Assurance Monitoring).
  - B. The permit holder shall report, consistent with the averaging time identified in the “CAM Summary,” deviations as defined by the deviation limit in the “CAM Summary.” Any monitoring data below a minimum limit or above a maximum limit, that is collected in accordance with the requirements specified in 40 CFR § 64.7(c), shall be reported as a deviation. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).
  - C. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the “CAM Summary,” for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances in order to avoid reporting deviations. All monitoring data shall be collected in accordance with the requirements specified in 40 CFR § 64.7(c).
  - D. The permit holder shall operate the monitoring, identified in the attached “CAM Summary,” in accordance with the provisions of 40 CFR § 64.7.
  - E. The permit holder shall comply with the requirements of 40 CFR § 70.6(a)(3)(ii)(A) and 30 TAC § 122.144(1)(A)-(F) for documentation of all required inspections.
7. The permit holder shall comply with the periodic monitoring requirements as specified in the attached “Periodic Monitoring Summary” upon issuance of the permit. Except for,

as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

#### **New Source Review Authorization Requirements**

8. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:
  - A. Are incorporated by reference into this permit as applicable requirements
  - B. Shall be located with this operating permit
  - C. Are not eligible for a permit shield
9. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
10. The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a permit by rule (PBR) or Standard Permit listed in the New Source Review Authorizations attachment. The records shall yield reliable data from the relevant time period that are representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).
11. The permit holder shall comply with the following requirements for Air Quality Standard Permits:
  - A. Registration requirements listed in 30 TAC § 116.611, unless otherwise provided for in an Air Quality Standard Permit

- B. General Conditions listed in 30 TAC § 116.615, unless otherwise provided for in an Air Quality Standard Permit
- C. Requirements of the non-rule Air Quality Standard Permit for Pollution Control Projects

### **Compliance Requirements**

- 12. The permit holder shall certify compliance in accordance with 30 TAC § 122.146. The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.
- 13. Use of Discrete Emission Credits to comply with the applicable requirements:
  - A. Unless otherwise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
    - (i) Title 30 TAC Chapter 115
    - (ii) Title 30 TAC Chapter 117
    - (iii) If applicable, offsets for Title 30 TAC Chapter 116
    - (iv) Temporarily exceed state NSR permit allowables
  - B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
    - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
    - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
    - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
    - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC Chapter 122
    - (v) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)

### **Protection of Stratospheric Ozone**

- 14. Permit holders at a site subject to Title VI of the FCAA Amendments shall meet the following requirements for protection of stratospheric ozone:

- A. Any on site servicing, maintenance, and repair on refrigeration and non-motor vehicle air-conditioning appliances using ozone-depleting refrigerants or non-exempt substitutes shall be conducted in accordance with 40 CFR Part 82, Subpart F. Permit holders shall ensure that repairs on or refrigerant removal from refrigeration and non-motor vehicle air-conditioning appliances using ozone-depleting refrigerants are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart F.
- B. Any on site servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR Part 82, Subpart B. Permit holders shall ensure that repairs or refrigerant removal are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart B.

#### **Temporary Fuel Shortages (30 TAC § 112.15)**

- 15. The permit holder shall comply with the following 30 TAC Chapter 112 requirements:
  - A. Title 30 TAC § 112.15 (relating to Temporary Fuel Shortage Plan Filing Requirements)
  - B. Title 30 TAC § 112.16(a), (a)(1), and (a)(2)(B) - (C) (relating to Temporary Fuel Shortage Plan Operating Requirements)
  - C. Title 30 TAC § 112.17 (relating to Temporary Fuel Shortage Plan Notification Procedures)
  - D. Title 30 TAC § 112.18 (relating to Temporary Fuel Shortage Plan Reporting Requirements)

#### **Permit Location**

- 16. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

#### **Permit Shield (30 TAC § 122.148)**

- 17. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.

## Acid Rain Permit Requirements

18. For unit OPS1 (identified in the Certificate of Representation as unit 1), located at the affected source identified by ORIS/Facility code 127, the designated representative and the owner or operator, as applicable, shall comply with the following Acid Rain Permit requirements.

### A. General Requirements

- (i) Under 30 TAC § 122.12(1) and 40 CFR Part 72, the Acid Rain Permit requirements contained here are a separable portion of the Federal Operating Permit (FOP) and have an independent public comment process which may be separate from, or combined with the FOP.
- (ii) The owner and operator shall comply with the requirements of 40 CFR Part 72 and 40 CFR Part 76. Any noncompliance with the Acid Rain Permit will be considered noncompliance with the FOP and may be subject to enforcement action.
- (iii) The owners and operators of the affected source shall operate the source and the unit in compliance with the requirements of this Acid Rain Permit and all other applicable State and federal requirements.
- (iv) The owners and operators of the affected source shall comply with the General Terms and Conditions of the FOP that incorporates this Acid Rain Permit.
- (v) The term for the Acid Rain permit shall commence with the issuance of the FOP that incorporates the Acid Rain permit and shall be run concurrent with the remainder of the term of the FOP. Renewal of the Acid Rain permit shall coincide with the renewal of the FOP that incorporates the Acid Rain permit and subsequent terms shall be no more than five years from the date of renewal of the FOP and run concurrent with the permit term of the FOP.

### B. Monitoring Requirements

- (i) The owners and operators, and the designated representative, of the affected source and each affected unit at the source shall comply with the monitoring requirements contained 40 CFR Part 75.
- (ii) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 and any other credible evidence shall be used to determine compliance by the affected source with the acid rain emissions limitations and emissions reduction requirements for SO<sub>2</sub> and NO<sub>x</sub> under the ARP.
- (iii) The requirements of 40 CFR Part 75 shall not affect the responsibility of the owners and operators to monitor emission of other pollutants or other emissions characteristics at the unit under other applicable requirements of the FCAA Amendments (42 U.S.C. 7401, as amended November 15, 1990) and other terms and conditions of the operating permit for the source.

C. SO<sub>2</sub> emissions requirements

- (i) The owners and operators of each source and each affected unit at the source shall comply with the applicable acid rain emissions limitations for SO<sub>2</sub>.
- (ii) As of the allowance transfer deadline the owners and operators of the affected source and each affected unit at the source shall hold, in the unit's compliance subaccount, allowances in an amount not less than the total annual emissions of SO<sub>2</sub> for the previous calendar year.
- (iii) Each ton of SO<sub>2</sub> emitted in excess of the acid rain emissions limitations for SO<sub>2</sub> shall constitute a separate violation of the FCAA amendments.
- (iv) An affected unit shall be subject to the requirements under (i) and (ii) of the SO<sub>2</sub> emissions requirements as follows:
  - (1) Starting January 1, 2000, an affected unit under 40 CFR § 72.6(a)(2); or
  - (2) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR Part 75, an affected unit under 40 CFR § 72.6(a)(3).
- (v) Allowances shall be held in, deducted from, or transferred into or among Allowance Tracking System accounts in accordance with the requirements of the ARP.
- (vi) An allowance shall not be deducted, for compliance with the requirements of this permit, in a calendar year before the year for which the allowance was allocated.
- (vii) An allowance allocated by the EPA Administrator or under the ARP is a limited authorization to emit SO<sub>2</sub> in accordance with the ARP. No provision of the ARP, Acid Rain permit application, this Acid Rain Permit, or an exemption under 40 CFR §§ 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (viii) An allowance allocated by the EPA Administrator under the ARP does not constitute a property right.

D. NO<sub>x</sub> Emission Requirements

- (i) The owners and operators of the source and each affected unit at the source shall comply with the applicable acid rain emissions limitations for NO<sub>x</sub> under 40 CFR Part 76.
- (ii) Beginning on the effective date of the termination of the early election plan, but no later than January 1, 2008, the owners and operators shall comply with the Phase II NO<sub>x</sub> standard emission limitation compliance plan for unit 1, under which each unit's annual average NO<sub>x</sub> emission rate for each year, determined using the methods and procedures specified in

40 CFR Part 75, shall not exceed the applicable emission limitation of 0.46 lb/MMBtu for dry bottom wall-fired units under 40 CFR § 76.7(a)(2).

E. Excess emissions requirements for SO<sub>2</sub> and NO<sub>x</sub>.

- (i) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR Part 77.
- (ii) If an affected source has excess emissions in any calendar year shall, as required by 40 CFR Part 77:
  - (1) Pay, without demand, the penalty required and pay, upon demand, the interest on that penalty.
  - (2) Comply with the terms of an approved offset plan.

F. Recordkeeping and Reporting Requirements

- (i) Unless otherwise provided, the owners and operators of the affected source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the EPA Administrator.
  - (1) The certificate of representation for the designated representative for the source and each affected unit and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR § 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative.
  - (2) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 provides for a 3-year period for recordkeeping (rather than a five-year period cited in 30 TAC § 122.144), the 3-year period shall apply.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ARP or relied upon for compliance certification.
  - (4) Copies of all documents used to complete an acid rain permit application and any other submission under the ARP or to demonstrate compliance with the requirements of the ARP.
- (ii) The designated representative of an affected source and each affected unit at the source shall submit the reports required under the ARP including those under 40 CFR Part 72, Subpart I and 40 CFR Part 75.

G. Liability



- (i) Any person who knowingly violates any requirement or prohibition of the ARP, a complete acid rain permit application, an acid rain permit, or a written exemption under 40 CFR §§ 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to FCAA § 113(c).
  - (ii) Any person who knowingly makes a false, material statement in any record, submission, or report under the ARP shall be subject to criminal enforcement pursuant to FCAA § 113(c) and 18 U.S.C. 1001.
  - (iii) No permit revision shall excuse any violation of the requirements of the ARP that occurs prior to the date that the revision takes effect.
  - (iv) The affected source and each affected unit shall meet the requirements of the ARP contained in 40 CFR Parts 72 through 78.
  - (v) Any provision of the ARP that applies to an affected source or the designated representative of an affected source shall also apply to the owners and operators of such source and of the affected units at the source.
  - (vi) Any provision of the ARP that applies to an affected unit (including a provision applicable to the DR of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR § 72.44 (Phase II repowering extension plans) and 40 CFR § 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR §§ 75.16, 75.17, and 75.18), the owners and operators and the DR of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the DR and that is located at a source of which they are not owners or operators or the DR.
  - (vii) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or DR of such source or unit, shall be a separate violation of the FCAA Amendments.
- H. Effect on other authorities. No provision of the ARP, an acid rain permit application, an acid rain permit, or an exemption under 40 CFR §§ 72.7 or 72.8 shall be construed as:
- (i) Except as expressly provided in Title IV of the FCAA Amendments, exempting or excluding the owners and operators and, to the extent applicable, the DR of an affected source or affected unit from compliance with any other provision of the FCAA Amendments, including the provisions of Title I of the FCAA Amendments relating to applicable National Ambient Air Quality Standards or State Implementation Plans.
  - (ii) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the FCAA Amendments.

- (iii) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law.
  - (iv) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
  - (v) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.
- I. The number of SO<sub>2</sub> allowances allocated by the EPA in 40 CFR Part 73 is enforceable only by the EPA Administrator.

#### **Cross-State Air Pollution Rule (CSAPR) Transport Rule (TR) Trading Program Requirements**

19. For unit OPS1 (identified in the Certificate of Representation as unit 1), located at the site identified by Plant code/ORIS/Facility code 127, the designated representative and the owner or operator, as applicable, shall comply with the following CSAPR TR requirements. Until approval of a Texas CSAPR SIP by EPA, the permit holder shall comply with the equivalent requirements of 40 CFR Part 97.
- A. General Requirements
- (i) The owners and operators of the CSAPR TR NO<sub>x</sub> and the CSAPR TR SO<sub>2</sub> source shall operate the source and the unit in compliance with the requirements of the applicable CSAPR TR Trading Programs and all other applicable State and federal requirements.
  - (ii) The owners and operators of the CSAPR TR NO<sub>x</sub> and the CSAPR TR SO<sub>2</sub> source shall comply with the requirements of 40 CFR Part 97, Subpart AAAAA for TR NO<sub>x</sub> Annual Program, Subpart BBBBB for TR NO<sub>x</sub> Ozone Season Program, Subpart DDDDD for TR SO<sub>2</sub> Group 2 Program, and with the General Terms and Conditions of the Federal Operating Permit (FOP) that incorporates the CSAPR TR requirements.
- B. Description of TR Monitoring Provisions
- (i) The TR subject unit(s), and the unit-specific monitoring provisions at this source, are identified in the following paragraph(s). These unit(s) are subject to the requirements for the TR NO<sub>x</sub> Annual Trading Program, TR NO<sub>x</sub> Ozone Season Trading Program, and TR SO<sub>2</sub> Group 2 Trading Program.
    - (1) For unit OPS1, the owners and operators shall comply with the continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR Part 75, Subpart B and Subpart H for SO<sub>2</sub>, NO<sub>x</sub>, and heat input.
  - (ii) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR §§ 97.430 through 97.435 (TR NO<sub>x</sub> Annual Trading Program), §§ 97.530 through 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and §§

97.730 through 97.735 (TR SO<sub>2</sub> Group 2 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.

- (iii) Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR §§ 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at <http://www.epa.gov/airmarkets/emissions/monitoringplans.html>.
- (iv) Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR § 75.66 and § 97.435 (TR NO<sub>x</sub> Annual Trading Program), § 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or § 97.735 (TR SO<sub>2</sub> Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
- (v) Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR §§ 97.430 through 97.434 (TR NO<sub>x</sub> Annual Trading Program), §§ 97.530 through 97.534 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or §§ 97.730 through 97.734 (TR SO<sub>2</sub> Group 2 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR § 75.66 and § 97.435 (TR NO<sub>x</sub> Annual Trading Program), § 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or § 97.735 (TR SO<sub>2</sub> Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
- (vi) The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR §§ 97.430 through 97.434 (TR NO<sub>x</sub> Annual Trading Program), §§ 97.530 through 97.534 (TR NO<sub>x</sub> Ozone Season Trading Program), and §§ 97.730 through 97.734 (TR SO<sub>2</sub> Group 2 Trading Program), and therefore procedures for minor permit revisions, in accordance with 30 TAC § 122.217, may be used to add or change this unit's monitoring system description.

20. CSAPR TR NO<sub>x</sub> Annual Trading Program Requirements (40 CFR § 97.406)

A. Designated representative requirements

- (i) The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR §§ 97.413 through 97.418.

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR TR NO<sub>x</sub> Annual source and each CSAPR TR NO<sub>x</sub> Annual unit at the

source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), § 97.431 (initial monitoring system certification and recertification procedures), § 97.432 (monitoring system out-of-control periods), § 97.433 (notifications concerning monitoring), § 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and § 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (ii) The emissions data determined in accordance with 40 CFR §§ 97.430 through 97.435 and any other credible evidence shall be used to calculate allocations of CSAPR TR NO<sub>x</sub> Annual allowances under 40 CFR §§ 97.411(a)(2) and (b) and § 97.412 and to determine compliance with the CSAPR TR NO<sub>x</sub> Annual emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

C. NO<sub>x</sub> emissions requirements

(i) CSAPR TR NO<sub>x</sub> Annual emissions limitation

- (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall hold, in the source's compliance account, CSAPR TR NO<sub>x</sub> Annual allowances available for deduction for such control period under 40 CFR § 97.424(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all CSAPR TR NO<sub>x</sub> Annual units at the source.
- (2) If total NO<sub>x</sub> emissions during a control period in a given year from the CSAPR TR NO<sub>x</sub> Annual units at a CSAPR TR NO<sub>x</sub> Annual source are in excess of the CSAPR TR NO<sub>x</sub> Annual emissions limitation set forth in paragraph C.(i)(1) above, then:
  - (a) The owners and operators of the source and each CSAPR TR NO<sub>x</sub> Annual unit at the source shall hold the CSAPR TR NO<sub>x</sub> Annual allowances required for deduction under 40 CFR § 97.424(d); and
  - (b) The owners and operators of the source and each CSAPR TR NO<sub>x</sub> Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.

(ii) CSAPR TR NO<sub>x</sub> Annual assurance provisions

- (1) If total NO<sub>x</sub> emissions during a control period in a given year from all CSAPR TR NO<sub>x</sub> Annual units at CSAPR TR NO<sub>x</sub> Annual sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR TR NO<sub>x</sub> Annual allowances available for deduction for such control period under 40 CFR § 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.425(b), of multiplying—
  - (a) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and
  - (b) The amount by which total NO<sub>x</sub> emissions from all CSAPR TR NO<sub>x</sub> Annual units at CSAPR TR NO<sub>x</sub> Annual sources in the state for such control period exceed the state assurance level.
- (2) The owners and operators shall hold the CSAPR TR NO<sub>x</sub> Annual allowances required under paragraph C.(ii)(1) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
- (3) Total NO<sub>x</sub> emissions from all CSAPR TR NO<sub>x</sub> Annual units at CSAPR TR NO<sub>x</sub> Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the state NO<sub>x</sub> Annual trading budget under 40 CFR § 97.410(a) and the state's variability limit under 40 CFR § 97.410(b).
- (4) It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NO<sub>x</sub> emissions from all CSAPR TR NO<sub>x</sub> Annual units at CSAPR TR NO<sub>x</sub> Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the CSAPR TR NO<sub>x</sub> Annual units at CSAPR TR NO<sub>x</sub> Annual sources in the state during a control period exceeds the common designated representative's assurance level.

- (5) To the extent the owners and operators fail to hold CSAPR TR NO<sub>x</sub> Annual allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,
  - (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
  - (b) Each CSAPR TR NO<sub>x</sub> Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.
- (iii) Compliance periods
  - (1) A CSAPR TR NO<sub>x</sub> Annual unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.430(b) and for each control period thereafter.
  - (2) A CSAPR TR NO<sub>x</sub> Annual unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.430(b) and for each control period thereafter.
- (iv) Vintage of allowances held for compliance
  - (1) A CSAPR TR NO<sub>x</sub> Annual allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR TR NO<sub>x</sub> Annual allowance that was allocated for such control period or a control period in a prior year.
  - (2) A CSAPR TR NO<sub>x</sub> Annual allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR TR NO<sub>x</sub> Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (v) Allowance Management System requirements. Each CSAPR TR NO<sub>x</sub> Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA.
- (vi) Limited authorization. A CSAPR TR NO<sub>x</sub> Annual allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

- (1) Such authorization shall only be used in accordance with the CSAPR TR NO<sub>x</sub> Annual Trading Program; and
  - (2) Notwithstanding any other provision of 40 CFR Part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (vii) Property right. A CSAPR TR NO<sub>x</sub> Annual allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR TR NO<sub>x</sub> Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA.
- (ii) This FOP incorporates the CSAPR TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore, the Description of TR Monitoring Provisions for TR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR TR NO<sub>x</sub> Annual source and each CSAPR TR NO<sub>x</sub> Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (1) The certificate of representation under 40 CFR § 97.416 for the designated representative for the source and each CSAPR TR NO<sub>x</sub> Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR § 97.416 changing the designated representative.
  - (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to

demonstrate compliance with the requirements of, the CSAPR TR NO<sub>x</sub> Annual Trading Program.

- (ii) The designated representative of a CSAPR TR NO<sub>x</sub> Annual source and each CSAPR TR NO<sub>x</sub> Annual unit at the source shall make all submissions required under the CSAPR TR NO<sub>x</sub> Annual Trading Program, except as provided in 40 CFR § 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR TR NO<sub>x</sub> Annual Trading Program that applies to a CSAPR TR NO<sub>x</sub> Annual source or the designated representative of a CSAPR TR NO<sub>x</sub> Annual source shall also apply to the owners and operators of such source and of the CSAPR TR NO<sub>x</sub> Annual units at the source.
- (ii) Any provision of the CSAPR TR NO<sub>x</sub> Annual Trading Program that applies to a CSAPR TR NO<sub>x</sub> Annual unit or the designated representative of a CSAPR TR NO<sub>x</sub> Annual unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

- (i) No provision of the CSAPR TR NO<sub>x</sub> Annual Trading Program or exemption under 40 CFR § 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR TR NO<sub>x</sub> Annual source or CSAPR TR NO<sub>x</sub> Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

21. CSAPR TR NO<sub>x</sub> Ozone Season Trading Program Requirements (40 CFR § 97.506)

A. Designated representative requirements

- (i) The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR §§ 97.513 through 97.518.

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR TR NO<sub>x</sub> Ozone Season source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.530 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.531 (initial monitoring system certification and recertification procedures), § 97.532 (monitoring system out-of-control periods), § 97.533 (notifications concerning monitoring), § 97.534 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §



97.535 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (ii) The emissions data determined in accordance with 40 CFR §§ 97.530 through 97.535 and any other credible evidence shall be used to calculate allocations of CSAPR TR NO<sub>x</sub> Ozone Season allowances under 40 CFR §§ 97.511(a)(2) and (b) and § 97.512 and to determine compliance with the CSAPR TR NO<sub>x</sub> Ozone Season emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

C. NO<sub>x</sub> emissions requirements

(i) TR NO<sub>x</sub> Ozone Season emissions limitation

- (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR TR NO<sub>x</sub> Ozone Season source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CSAPR TR NO<sub>x</sub> Ozone Season allowances available for deduction for such control period under 40 CFR § 97.524(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all CSAPR TR NO<sub>x</sub> Ozone Season units at the source.
- (2) If total NO<sub>x</sub> emissions during a control period in a given year from the CSAPR TR NO<sub>x</sub> Ozone Season units at a CSAPR TR NO<sub>x</sub> Ozone Season source are in excess of the CSAPR TR NO<sub>x</sub> Ozone Season emissions limitation set forth in paragraph C.(i)(1) above, then:
  - (a) The owners and operators of the source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source shall hold the CSAPR TR NO<sub>x</sub> Ozone Season allowances required for deduction under 40 CFR § 97.524(d); and
  - (b) The owners and operators of the source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart BBBBB and the Clean Air Act.

(ii) TR NO<sub>x</sub> Ozone Season assurance provisions

- (1) If total NO<sub>x</sub> emissions during a control period in a given year from all CSAPR TR NO<sub>x</sub> Ozone Season units at CSAPR TR NO<sub>x</sub> Ozone Season sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated

representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR TR NO<sub>x</sub> Ozone Season allowances available for deduction for such control period under 40 CFR § 97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.525(b), of multiplying—

- (a) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and
  - (b) The amount by which total NO<sub>x</sub> emissions from all CSAPR TR NO<sub>x</sub> Ozone Season units at CSAPR TR NO<sub>x</sub> Ozone Season sources in the state for such control period exceed the state assurance level.
- (2) The owners and operators shall hold the CSAPR TR NO<sub>x</sub> Ozone Season allowances required under paragraph C.(ii)(1) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
  - (3) Total NO<sub>x</sub> emissions from all CSAPR TR NO<sub>x</sub> Ozone Season units at CSAPR TR NO<sub>x</sub> Ozone Season sources in the state during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the State NO<sub>x</sub> Ozone Season trading budget under 40 CFR § 97.510(a) and the state's variability limit under 40 CFR § 97.510(b).
  - (4) It shall not be a violation of 40 CFR Part 97, Subpart BBBBBB or of the Clean Air Act if total NO<sub>x</sub> emissions from all CSAPR TR NO<sub>x</sub> Ozone Season units at CSAPR TR NO<sub>x</sub> Ozone Season sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the CSAPR TR NO<sub>x</sub> Ozone Season units at CSAPR TR NO<sub>x</sub> Ozone Season sources in the state during a control period exceeds the common designated representative's assurance level.
  - (5) To the extent the owners and operators fail to hold CSAPR TR NO<sub>x</sub> Ozone Season allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,

- (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
  - (b) Each CSAPR TR NO<sub>x</sub> Ozone Season allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart BBBBBB and the Clean Air Act.
- (iii) Compliance periods
  - (1) A CSAPR TR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of May 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.530(b) and for each control period thereafter.
  - (2) A CSAPR TR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.530(b) and for each control period thereafter.
- (iv) Vintage of allowances held for compliance
  - (1) A CSAPR TR NO<sub>x</sub> Ozone Season allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR TR NO<sub>x</sub> Ozone Season allowance that was allocated for such control period or a control period in a prior year.
  - (2) A CSAPR TR NO<sub>x</sub> Ozone Season allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR TR NO<sub>x</sub> Ozone Season allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (v) Allowance Management System requirements. Each CSAPR TR NO<sub>x</sub> Ozone Season allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart BBBBBB.
- (vi) Limited authorization. A CSAPR TR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:
  - (1) Such authorization shall only be used in accordance with the CSAPR TR NO<sub>x</sub> Ozone Season Trading Program; and
  - (2) Notwithstanding any other provision of 40 CFR Part 97, Subpart BBBBBB, the Administrator has the authority to terminate or limit

the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

- (vii) Property right. A CSAPR TR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR TR NO<sub>x</sub> Ozone Season allowances in accordance with 40 CFR Part 97, Subpart BBBBB.
- (ii) This FOP incorporates the CSAPR TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.530 through 97.535, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore, the Description of CSAPR TR Monitoring Provisions for CSAPR TR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR TR NO<sub>x</sub> Ozone Season source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (1) The certificate of representation under 40 CFR § 97.516 for the designated representative for the source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR § 97.516 changing the designated representative.
  - (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart BBBBB.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR TR NO<sub>x</sub> Ozone Season Trading Program.

- (ii) The designated representative of a CSAPR TR NO<sub>x</sub> Ozone Season source and each CSAPR TR NO<sub>x</sub> Ozone Season unit at the source shall make all submissions required under the CSAPR TR NO<sub>x</sub> Ozone Season Trading Program, except as provided in 40 CFR § 97.518. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR TR NO<sub>x</sub> Ozone Season Trading Program that applies to a CSAPR TR NO<sub>x</sub> Ozone Season source or the designated representative of a CSAPR TR NO<sub>x</sub> Ozone Season source shall also apply to the owners and operators of such source and of the CSAPR TR NO<sub>x</sub> Ozone Season units at the source.
- (ii) Any provision of the CSAPR TR NO<sub>x</sub> Ozone Season Trading Program that applies to a CSAPR TR NO<sub>x</sub> Ozone Season unit or the designated representative of a CSAPR TR NO<sub>x</sub> Ozone Season unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

- (i) No provision of the CSAPR TR NO<sub>x</sub> Ozone Season Trading Program or exemption under 40 CFR § 97.505 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR TR NO<sub>x</sub> Ozone Season source or CSAPR TR NO<sub>x</sub> Ozone Season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

22. CSAPR TR SO<sub>2</sub> Group 2 Trading Program Requirements (40 CFR § 97.706)

A. Designated representative requirements

- (i) The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR §§ 97.713 through 97.718.

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR TR SO<sub>2</sub> Group 2 source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.730 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), § 97.731 (initial monitoring system certification and recertification procedures), § 97.732 (monitoring system out-of-control periods), § 97.733 (notifications concerning monitoring), § 97.734 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and § 97.735 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (ii) The emissions data determined in accordance with 40 CFR § 97.730 through § 97.735 and any other credible evidence shall be used to calculate allocations of CSAPR TR SO<sub>2</sub> Group 2 allowances under 40 CFR §§ 97.711(a)(2) and (b) and § 97.712 and to determine compliance with the CSAPR TR SO<sub>2</sub> Group 2 emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.730 through 97.735 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

C. SO<sub>2</sub> emissions requirements

- (i) TR SO<sub>2</sub> Group 2 emissions limitation
  - (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR TR SO<sub>2</sub> Group 2 source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source shall hold, in the source's compliance account, CSAPR TR SO<sub>2</sub> Group 2 allowances available for deduction for such control period under 40 CFR § 97.724(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all CSAPR TR SO<sub>2</sub> Group 2 units at the source.
  - (2) If total SO<sub>2</sub> emissions during a control period in a given year from the CSAPR TR SO<sub>2</sub> Group 2 units at a CSAPR TR SO<sub>2</sub> Group 2 source are in excess of the CSAPR TR SO<sub>2</sub> Group 2 emissions limitation set forth in paragraph C.(i)(1) above, then:
    - (a) The owners and operators of the source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source shall hold the CSAPR TR SO<sub>2</sub> Group 2 allowances required for deduction under 40 CFR § 97.724(d); and
    - (b) The owners and operators of the source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart DDDDD and the Clean Air Act.
- (ii) TR SO<sub>2</sub> Group 2 assurance provisions
  - (1) If total SO<sub>2</sub> emissions during a control period in a given year from all CSAPR TR SO<sub>2</sub> Group 2 units at CSAPR TR SO<sub>2</sub> Group 2 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's

assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR TR SO<sub>2</sub> Group 2 allowances available for deduction for such control period under 40 CFR § 97.725(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.725(b), of multiplying—

- (a) The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and
  - (b) The amount by which total SO<sub>2</sub> emissions from all CSAPR TR SO<sub>2</sub> Group 2 units at CSAPR TR SO<sub>2</sub> Group 2 sources in the state for such control period exceed the state assurance level.
- (2) The owners and operators shall hold the CSAPR TR SO<sub>2</sub> Group 2 allowances required under paragraph C.(ii)(1) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
- (3) Total SO<sub>2</sub> emissions from all CSAPR TR SO<sub>2</sub> Group 2 units at CSAPR TR SO<sub>2</sub> Group 2 sources in the state during a control period in a given year exceed the state assurance level if such total SO<sub>2</sub> emissions exceed the sum, for such control period, of the state SO<sub>2</sub> Group 2 trading budget under 40 CFR § 97.710(a) and the state's variability limit under 40 CFR § 97.710(b).
- (4) It shall not be a violation of 40 CFR Part 97, Subpart DDDDD or of the Clean Air Act if total SO<sub>2</sub> emissions from all CSAPR TR SO<sub>2</sub> Group 2 units at CSAPR TR SO<sub>2</sub> Group 2 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO<sub>2</sub> emissions from the CSAPR TR SO<sub>2</sub> Group 2 units at CSAPR TR SO<sub>2</sub> Group 2 sources in the state during a control period exceeds the common designated representative's assurance level.
- (5) To the extent the owners and operators fail to hold CSAPR TR SO<sub>2</sub> Group 2 allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,
  - (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

- (b) Each CSAPR TR SO<sub>2</sub> Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart DDDDD and the Clean Air Act.
- (iii) Compliance periods
  - (1) A CSAPR TR SO<sub>2</sub> Group 2 unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.730(b) and for each control period thereafter.
  - (2) A CSAPR TR SO<sub>2</sub> Group 2 unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.730(b) and for each control period thereafter.
- (iv) Vintage of allowances held for compliance
  - (1) A CSAPR TR SO<sub>2</sub> Group 2 allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR TR SO<sub>2</sub> Group 2 allowance that was allocated for such control period or a control period in a prior year.
  - (2) A CSAPR TR SO<sub>2</sub> Group 2 allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR TR SO<sub>2</sub> Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (v) Allowance Management System requirements. Each CSAPR TR SO<sub>2</sub> Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart DDDDD.
- (vi) Limited authorization. A CSAPR TR SO<sub>2</sub> Group 2 allowance is a limited authorization to emit one ton of SO<sub>2</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:
  - (1) Such authorization shall only be used in accordance with the CSAPR TR SO<sub>2</sub> Group 2 Trading Program; and
  - (2) Notwithstanding any other provision of 40 CFR Part 97, Subpart DDDDD, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.



- (vii) Property right. A CSAPR TR SO<sub>2</sub> Group 2 allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR TR SO<sub>2</sub> Group 2 allowances in accordance with 40 CFR Part 97, Subpart DDDDD.
- (ii) This FOP incorporates the CSAPR TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.730 through 97.735, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore the Description of CSAPR TR Monitoring Provisions for CSAPR TR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR TR SO<sub>2</sub> Group 2 source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (1) The certificate of representation under 40 CFR § 97.716 for the designated representative for the source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR § 97.716 changing the designated representative.
  - (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart DDDDD.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR TR SO<sub>2</sub> Group 2 Trading Program.
- (ii) The designated representative of a CSAPR TR SO<sub>2</sub> Group 2 source and each CSAPR TR SO<sub>2</sub> Group 2 unit at the source shall make all submissions required under the CSAPR TR SO<sub>2</sub> Group 2 Trading Program, except as provided in 40 CFR § 97.718. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR TR SO<sub>2</sub> Group 2 Trading Program that applies to a CSAPR TR SO<sub>2</sub> Group 2 source or the designated representative of a CSAPR TR SO<sub>2</sub> Group 2 source shall also apply to the owners and operators of such source and of the CSAPR TR SO<sub>2</sub> Group 2 units at the source.
- (ii) Any provision of the CSAPR TR SO<sub>2</sub> Group 2 Trading Program that applies to a CSAPR TR SO<sub>2</sub> Group 2 unit or the designated representative of a CSAPR TR SO<sub>2</sub> Group 2 unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

- (i) No provision of the CSAPR TR SO<sub>2</sub> Group 2 Trading Program or exemption under 40 CFR § 97.705 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR TR SO<sub>2</sub> Group 2 source or CSAPR TR SO<sub>2</sub> Group 2 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

## **Attachments**

**Applicable Requirements Summary**

**Additional Monitoring Requirements**

**Permit Shield**

**New Source Review Authorization References**

**Applicable Requirements Summary**

**Unit Summary ..... 35**

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Note: A “none” entry may be noted for some emission sources in this permit’s “Applicable Requirements Summary” under the heading of “Monitoring and Testing Requirements” and/or “Recordkeeping Requirements” and/or “Reporting Requirements.” Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Recordkeeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

### Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
01001	COAL PREPARATION PLANTS	N/A	60Y-1	40 CFR Part 60, Subpart Y	No changing attributes.
01011	COAL PREPARATION PLANTS	N/A	60Y-1	40 CFR Part 60, Subpart Y	No changing attributes.
01012	COAL PREPARATION PLANTS	N/A	60Y-1	40 CFR Part 60, Subpart Y	No changing attributes.
1	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-1	30 TAC Chapter 111, Visible Emissions	Annual ACF = Annual average capacity factor is greater than 30%, as reported to the Federal Power Commission for calendar year 1974, Heat Input = Heat Input is greater than 250 MMBtu/hr., Vent Source = The source of the vent is a steam generator fired by solid fossil fuel.

### Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
1	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-2	30 TAC Chapter 111, Visible Emissions	SIP Violation = The source is able to comply with applicable PM and opacity regulations without the use of PM collection equipment and has not been found to be in violation of any visible emission standard in a State Implementation Plan., Vent Source = The source of the vent is a steam generator that burns oil or a mixture of oil and gas.
EFP	SRIC ENGINES	N/A	60III-4219	40 CFR Part 60, Subpart III	No changing attributes.
EFP	SRIC ENGINES	N/A	63ZZZZ-6640	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R1153-1	30 TAC Chapter 111, Nonagricultural Processes	No changing attributes.
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R200-1	30 TAC Chapter 112, Sulfur Compounds	Fuel Type = Solid fossil fuel., Heat Input = Design heat input is greater than 1500 MMBtu/hr.

### Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R200-2	30 TAC Chapter 112, Sulfur Compounds	Fuel Type = Liquid fuel., Heat Input = Design heat input is greater than 250 MMBtu/hr., Stack Height = The effective stack height is at least the standard effective stack height for each stack to which the unit routes emissions.
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	60Da-1	40 CFR Part 60, Subpart Da	D-Series Fuel Type #1 = Solid fossil fuel.
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	60Da-2	40 CFR Part 60, Subpart Da	D-Series Fuel Type #1 = Solid fossil fuel. D-Series Fuel Type #2 = Liquid fossil fuel.
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	63UUUUU-1	40 CFR Part 63, Subpart UUUUU	Fuel Type = Coal
OPS1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	63UUUUU-2	40 CFR Part 63, Subpart UUUUU	Fuel Type = Fuel Oil

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
01001	EU	60Y-1	OPACITY	40 CFR Part 60, Subpart Y	§ 60.254(a) § 60.257(a)	On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.	§ 60.255(a) § 60.257(a) [G]§ 60.257(a)(1) [G]§ 60.257(a)(3) ** See Periodic Monitoring Summary	None	None



## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
01011	EU	60Y-1	OPACITY	40 CFR Part 60, Subpart Y	§ 60.254(a) § 60.257(a)	On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.	§ 60.255(a) § 60.257(a) [G]§ 60.257(a)(1) [G]§ 60.257(a)(3) ** See Periodic Monitoring Summary	None	None

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
01012	EU	60Y-1	OPACITY	40 CFR Part 60, Subpart Y	§ 60.254(a) § 60.257(a)	On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.	§ 60.255(a) § 60.257(a) [G]§ 60.257(a)(1) [G]§ 60.257(a)(3) ** See Periodic Monitoring Summary	None	None
1	EP	R1111-1	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(C) § 111.111(a)(1)(E) § 111.111(a)(2)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	§ 111.111(a)(1)(D) [G]§ 111.111(a)(1)(F) § 111.111(a)(2)	§ 111.111(a)(1)(C) § 111.111(a)(1)(D)	None

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
1	EP	R1111-2	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	§ 111.111(a)(1)(D) [G]§ 111.111(a)(1)(F)	§ 111.111(a)(1)(C) § 111.111(a)(1)(D)	None
EFP	EU	60III-4219	NMHC and NO <sub>x</sub>	40 CFR Part 60, Subpart IIII	§ 60.4205(c)-Table 4 § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f) § 60.4218	Owners and operators of emergency stationary fire pump CI ICE with a maximum engine power greater than or equal to 130 KW and less than or equal to 560 KW and a displacement of less than 30 liters per cylinder and is a 2009 model year and later must comply with an NMHC+NO <sub>x</sub> emission limit of 4.0 g/KW-hr, as listed in Table 4 to this subpart.	None	None	[G]§ 60.4214(d)

### Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
EFP	EU	60III-4219	PM	40 CFR Part 60, Subpart IIII	§ 60.4205(c)-Table 4 § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f) § 60.4218	Owners and operators of emergency stationary fire pump CI ICE with a maximum engine power greater than or equal to 130 KW and less than or equal to 560 KW and a displacement of less than 30 liters per cylinder and is a 2009 model year and later must comply with a PM emission limit of 0.20 g/KW-hr, as listed in Table 4 to this subpart.	None	None	[G]§ 60.4214(d)

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
EFP	EU	63ZZZZ-6640	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6590(c)	Stationary RICE subject to Regulations under 40 CFR Part 60. An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines as applicable. No further requirements apply for such engines under this part.	None	None	None

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
OPS1	EU	R1153-1	PM	30 TAC Chapter 111, Nonagricultural Processes	§ 111.153(b)	No person may cause, suffer, allow, or permit emissions of particulate matter from any solid fossil fuel-fired steam generator to exceed 0.3 pound of total suspended particulate per million Btu heat input, averaged over a two-hour period.	** See CAM Summary	None	None
OPS1	EU	R200-1	SO <sub>2</sub>	30 TAC Chapter 112, Sulfur Compounds	§ 112.8(a)	Except as in §112.8(b), no person may cause, suffer, allow, or permit emissions of SO <sub>2</sub> from solid fossil fuel-fired steam generators to exceed 3.0 lb/MMBtu heat input averaged over a 3-hour period.	§ 112.2(a) § 112.8(d)	§ 112.2(c)	§ 112.2(b)

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
OPS1	EU	R200-2	SO <sub>2</sub>	30 TAC Chapter 112, Sulfur Compounds	§ 112.9(a)	No person may cause, suffer, allow, or permit emissions of SO <sub>2</sub> from any liquid fuel-fired steam generator, furnace, or heater to exceed 440 ppmv at actual stack conditions and averaged over 3-hours.	§ 112.2(a) § 112.9(e)	§ 112.2(c)	§ 112.2(b)
OPS1	EU	60Da-1	112(B) HAPS	40 CFR Part 60, Subpart Da	§ 60.40Da(a) The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40 CFR Part 60, Subpart Da	The permit holder shall comply with the applicable requirements of 40 CFR Part 60, Subpart Da	** See CAM Summary	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 60, Subpart Da	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 60, Subpart Da
OPS1	EU	60Da-2	112(B) HAPS	40 CFR Part 60, Subpart Da	§ 60.40Da(a) The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40 CFR Part 60, Subpart Da	The permit holder shall comply with the applicable requirements of 40 CFR Part 60, Subpart Da	** See CAM Summary	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 60, Subpart Da	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 60, Subpart Da

## Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
OPS1	EU	63UUUUU-1	112(B) HAPS	40 CFR Part 63, Subpart UUUUU	§ 63.9981 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable monitoring and testing requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 63, Subpart UUUUU
OPS1	EU	63UUUUU-2	112(B) HAPS	40 CFR Part 63, Subpart UUUUU	§ 63.9981 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable monitoring and testing requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 63, Subpart UUUUU	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 63, Subpart UUUUU



**Additional Monitoring Requirements**

<b>Compliance Assurance Monitoring Summary .....</b>	<b>48</b>
<b>Periodic Monitoring Summary .....</b>	<b>51</b>

### CAM Summary

Unit/Group/Process Information	
ID No.: OPS1	
Control Device ID No.: ESP-1	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Nonagricultural Processes	SOP Index No.: R1153-1
Pollutant: PM	Main Standard: § 111.153(b)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: six-minute	
Deviation Limit: It shall be considered a deviation if the opacity exceeds 20%.	
CAM Text: The COMS shall be operated in accordance with 40 CFR § 60.13.	

### CAM Summary

Unit/Group/Process Information	
ID No.: OPS1	
Control Device ID No.: ESP-1	Control Device Type: Wet or Dry Electrostatic Precipitator
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Da	SOP Index No.: 60Da-1
Pollutant: PM	Main Standard: § 60.40Da(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: six-minute	
Deviation Limit: It shall be considered a deviation if visible emissions are observed or if the result of Test Method 9 is that opacity is greater than 20%.	
CAM Text: The COMS shall be operated in accordance with 40 CFR § 60.13.	

## CAM Summary

<b>Unit/Group/Process Information</b>	
ID No.: OPS1	
Control Device ID No.: ESP-1	Control Device Type: Wet or Dry Electrostatic Precipitator
<b>Applicable Regulatory Requirement</b>	
Name: 40 CFR Part 60, Subpart Da	SOP Index No.: 60Da-2
Pollutant: PM	Main Standard: § 60.40Da(a)
<b>Monitoring Information</b>	
Indicator: Opacity	
Minimum Frequency: six times per minute	
Averaging Period: six-minute	
Deviation Limit: It shall be considered a deviation if visible emissions are observed or if the result of Test Method 9 is that opacity is greater than 20%.	
CAM Text: The COMS shall be operated in accordance with 40 CFR § 60.13.	

## Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: 01001	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Y	SOP Index No.: 60Y-1
Pollutant: OPACITY	Main Standard: § 60.254(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Once per month	
Averaging Period: Six-minutes	
Deviation Limit: It shall be considered a deviation if the opacity exceeds 20%.	
Periodic Monitoring Text: Opacity shall be monitored, by a certified observer, for at least one, six-minute period in accordance with Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation.	

## Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: 01011	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Y	SOP Index No.: 60Y-1
Pollutant: OPACITY	Main Standard: § 60.254(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Once per month	
Averaging Period: Six-minutes	
Deviation Limit: It shall be considered a deviation if the opacity exceeds 20%.	
Periodic Monitoring Text: Opacity shall be monitored, by a certified observer, for at least one, six-minute period in accordance with Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation.	

## Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: 01012	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Y	SOP Index No.: 60Y-1
Pollutant: OPACITY	Main Standard: § 60.254(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Once per month	
Averaging Period: Six-minutes	
Deviation Limit: It shall be considered a deviation if the opacity exceeds 20%.	
Periodic Monitoring Text: Opacity shall be monitored, by a certified observer, for at least one, six-minute period in accordance with Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation.	

**Permit Shield**

**Permit Shield ..... 55**



### Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
01005	N/A	40 CFR Part 60, Subpart OOO	Commenced construction before August 31, 1983.
01006	N/A	40 CFR Part 60, Subpart OOO	Commenced construction before August 31, 1983.
01009	N/A	40 CFR Part 60, Subpart OOO	Commenced construction before August 31, 1983.
01010	N/A	40 CFR Part 60, Subpart OOO	Commenced construction before August 31, 1983.
EDG	N/A	40 CFR Part 63, Subpart ZZZZ	Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year.

**New Source Review Authorization References**

<b>New Source Review Authorization References.....</b>	<b>57</b>
<b>New Source Review Authorization References by Emission Unit .....</b>	<b>58</b>

## New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

<b>Prevention of Significant Deterioration (PSD) Permits</b>	
PSD Permit No.: PSDTX325M2	Issuance Date: 02/11/2014
<b>Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.</b>	
Authorization No.: 112550	Issuance Date: 12/23/2013
Authorization No.: 9015	Issuance Date: 02/11/2014
<b>Permits By Rule (30 TAC Chapter 106) for the Application Area</b>	
Number: 106.227	Version No./Date: 09/04/2000
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.265	Version No./Date: 09/04/2000
Number: 106.371	Version No./Date: 09/04/2000
Number: 106.412	Version No./Date: 09/04/2000
Number: 106.454	Version No./Date: 11/01/2001
Number: 106.472	Version No./Date: 09/04/2000
Number: 106.473	Version No./Date: 09/04/2000
Number: 106.511	Version No./Date: 09/04/2000
Number: 106.532	Version No./Date: 09/04/2000
Number: 75	Version No./Date: 11/25/1985

### New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
01001	COAL CAR DUMPER	9015, PSDTX325M2
01005	LIMESTONE CAR DUMPER	9015, PSDTX325M2
01006	LIMESTONE TRANSFER TO BINS	9015, PSDTX325M2
01009	LIMESTONE TRANSFER TO STORAGE	9015, PSDTX325M2
01010	LIMESTONE STORAGE-INACTIVE	9015, PSDTX325M2
01011	COAL TRANSFER TO BOILER	9015, PSDTX325M2
01012	COAL TRANSFER TO STORAGE	9015, PSDTX325M2
1	BOILER #1 STACK	9015, PSDTX325M2
EDG	EMERGENCY GENERATOR	106.511/09/04/2000
EFP	EMERGENCY FIRE PUMP	106.511/09/04/2000
OPS1	BOILER #1	9015, PSDTX325M2

**Appendix A**

**Acronym List ..... 60**

## Acronym List

The following abbreviations or acronyms may be used in this permit:

ACFM	actual cubic feet per minute
AMOC	alternate means of control
ARP	Acid Rain Program
ASTM	American Society of Testing and Materials
B/PA	Beaumont/Port Arthur (nonattainment area)
CAM	Compliance Assurance Monitoring
CD	control device
COMS	continuous opacity monitoring system
CVS	closed-vent system
D/FW	Dallas/Fort Worth (nonattainment area)
DR	Designated Representative
ELP	El Paso (nonattainment area)
EP	emission point
EPA	U.S. Environmental Protection Agency
EU	emission unit
FCAA Amendments	Federal Clean Air Act Amendments
FOP	federal operating permit
GF	grandfathered
gr/100 scf	grains per 100 standard cubic feet
HAP	hazardous air pollutant
H/G/B	Houston/Galveston/Brazoria (nonattainment area)
H <sub>2</sub> S	hydrogen sulfide
ID No.	identification number
lb/hr	pound(s) per hour
MMBtu/hr	Million British thermal units per hour
MRRT	monitoring, recordkeeping, reporting, and testing
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standard (40 CFR Part 60)
NSR	New Source Review
ORIS	Office of Regulatory Information Systems
Pb	lead
PBR	Permit By Rule
PM	particulate matter
ppmv	parts per million by volume
PSD	prevention of significant deterioration
RO	Responsible Official
SO <sub>2</sub>	sulfur dioxide
TCEQ	Texas Commission on Environmental Quality
TSP	total suspended particulate
TVP	true vapor pressure
U.S.C.	United States Code
VOC	volatile organic compound

## **Appendix B**

<b>Major NSR Summary Table .....</b>	<b>62</b>
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**Major NSR Summary Table**

Permit Number: 9015 and PSDTX325M2				Issuance Date: February 11, 2014			
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lb/hr	TPY**	Spec. Cond.	Spec. Cond.	Spec. Cond.
1	Steam Generator 6,800 MMBTU/hr (6)(7)	NOx	3,400.0 (30-day rolling average)	14,892.0	4, 6, 7, 8, 27	4, 15, 17, 26, 29	4, 18
		SO2	3,410.0 (3-hour rolling average)	14,936.0	4, 6, 7, 8, 27	4, 15, 17, 26, 29	4, 18
		PM (front-half)	205.4	900.0	4, 7, 8, 27	4, 15, 16, 17, 26, 29	4, 18
		PM/ PM10/ PM2.5	1,440	-	4, 7, 8, 27	4, 15, 16, 17, 26, 29	4, 18
		CO	444.1 (30-day rolling average)	1,945.0	4, 6, 8, 27	4, 8, 15, 17, 26	4, 18
		VOC	4.4	19.3	4, 27	4, 15, 17, 26	4, 18
Fugitive PM Sources (8)							
FS1	Rotary Car Dump	PM	2.38	1.74	4	4	4
		PM-10	1.12	0.82	4	4	4
		Opacity	10 percent		4	4	4
FS2	Transfer - Coal to Storage	PM	13.28	9.69	4	4	4
		PM-10	6.26	4.57	4	4	4
		Opacity	10 percent		4	4	4
FS3	Transfer - Coal Storage to Boiler Bins	PM	1.63	2.98	4	4	4
		PM-10	0.77	1.41	4	4	4
		Opacity	10 percent		4	4	4
FS4	Active Coal Pile	PM	4.8	20.9	4	4	4
		Opacity	20 percent		4	4	4



### Major NSR Summary Table

Permit Number: 9015 and PSDTX325M2				Issuance Date: February 11, 2014			
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lb/hr	TPY**	Spec. Cond.	Spec. Cond.	Spec. Cond.
FS 5	Inactive Coal Pile	PM	4.8	21.2	4	4	4
		Opacity	10 percent		4	4	4
FS 6	Limestone Car Dumper	PM	2.7	0.4	4	4	4
		No Visible Emissions			4	4	4
FS 7	Transfer - Limestone to Storage	PM	0.4	<0.1	4	4	4
		No Visible Emissions			4	4	4
FS 8	Transfer - Limestone to Mill Bins	PM	0.2	<0.1	4	4	4
		No Visible Emissions			4	4	4
FS 9	Inactive Limestone Storage	PM	<0.1	<0.1	4	4	4
		No Visible Emissions			4	4	4
FS 10 A	Fly Ash Handling (ESP)	PM	18.0	3.3	4	4	4
		Opacity	10 percent		4	4	4
FS 10 B	Activated Carbon (9)	PM	18.0	0.6	4	4	4
		Opacity	10 percent		4	4	4
Total Fugitive PM Source Emissions (8)		PM	-	61.1	4	4	4
MSS-FUG	MSS Fugitives	VOC	275.0	1.54	4	4, 26	4
		PM	4.2	2.75	4	4, 26	4
		PM-10	1.57	1.01	4	4, 26	4
		PM-2.5	0.24	0.15	4	4, 26	4
		NOx	0.02	<0.01	4	4, 26	4
		CO	0.01	<0.01	4	4, 26	4
		SO2	0.02	<0.01	4	4, 26	4

Footnotes:

- (1) Emission point identification – either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3) VOC – volatile organic compounds as defined in Title 30 Texas Administration Code § 101.1  
NO<sub>x</sub> – total oxides of nitrogen  
SO<sub>2</sub> – sulfur dioxide  
PM – total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
PM<sub>10</sub> – total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
PM<sub>2.5</sub> – particulate matter equal to or less than 2.5 microns in diameter  
CO – carbon monoxide
- (4) Planned maintenance, startup, and shutdown (MSS) lbs/ hour emissions for all pollutants are authorized even if not specifically identified as MSS. During any clock hour that includes one or more minutes of planned MSS, that pollutant's maximum hourly emission rate shall apply during that clock hour.
- (5) Compliance with annual emission rates is based on a 12-month rolling period. Annual emission rates for each source include planned MSS emissions.
- (6) The steam generator is limited to 20 percent opacity with one six-minute average opacity per hour not to exceed 27 percent in accordance with the exception of Title 30 Code of Federal Regulations § 60.42 Da (b) and in accordance with the limitations and conditions specified in Title 30 Texas Administrative Code § 111.111(A)(1)(E ).
- (7) Pollution Control Project Permit 112550 authorizes additional rates of 19.29 lb/hr and 9.49 TPY PM / PM<sub>10</sub> / PM<sub>2.5</sub> emissions from EPN1.
- (8) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit applicable representations.
- (9) Pollution Control Project Standard Permit 112550 authorizes emission rates of 0.11 lb/hr and 0.49 TPY PM; 0.09 lb/hr and 0.41 TPY PM<sub>10</sub>; and 0.03 lb/hr and 0.11 TPY PM<sub>2.5</sub> emissions from EPN FS10B.



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
AIR QUALITY PERMIT**



*A Permit Is Hereby Issued To*  
**Public Service Company of Oklahoma**  
*Authorizing the Construction and Operation of*  
**Power Plant**

*Located at* **Vernon, Wilbarger County, Texas**

*Latitude* 34° 4' 57" *Longitude* 99° 10' 35"

Permits: 9015 and PSDTX325M2

Amendment Date : February 11, 2014

Renewal Date: December 11, 2017

For the Commission

1. **Facilities** covered by this permit shall be constructed and operated as specified in the application for the permit. All representations regarding construction plans and operation procedures contained in the permit application shall be conditions upon which the permit is issued. Variations from these representations shall be unlawful unless the permit holder first makes application to the Texas Commission on Environmental Quality (commission) Executive Director to amend this permit in that regard and such amendment is approved. [Title 30 Texas Administrative Code 116.116 (30 TAC 116.116)]
2. **Voiding of Permit.** A permit or permit amendment is automatically void if the holder fails to begin construction within 18 months of the date of issuance, discontinues construction for more than 18 months prior to completion, or fails to complete construction within a reasonable time. Upon request, the executive director may grant an 18-month extension. Before the extension is granted the permit may be subject to revision based on best available control technology, lowest achievable emission rate, and netting or offsets as applicable. One additional extension of up to 18 months may be granted if the permit holder demonstrates that emissions from the facility will comply with all rules and regulations of the commission, the intent of the Texas Clean Air Act (TCAA), including protection of the public's health and physical property; and (b)(1) the permit holder is a party to litigation not of the permit holder's initiation regarding the issuance of the permit; or (b)(2) the permit holder has spent, or committed to spend, at least 10 percent of the estimated total cost of the project up to a maximum of \$5 million. A permit holder granted an extension under subsection (b)(1) of this section may receive one subsequent extension if the permit holder meets the conditions of subsection (b)(2) of this section. [30 TAC 116.120(a), (b) and (c)]
3. **Construction Progress.** Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office of the commission not later than 15 working days after occurrence of the event. [30 TAC 116.115(b)(2)(A)]
4. **Start-up Notification.** The appropriate air program regional office shall be notified prior to the commencement of operations of the facilities authorized by the permit in such a manner that a representative of the commission may be present. The permit holder shall provide a separate notification for the commencement of operations for each unit of phased construction, which may involve a series of units commencing operations at different times. Prior to operation of the facilities authorized by the permit, the permit holder shall identify the source or sources of allowances to be utilized for compliance with Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program). [30 TAC 116.115(b)(2)(B)(iii)]
5. **Sampling Requirements.** If sampling is required, the permit holder shall contact the commission's Office of Compliance and Enforcement prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant. [30 TAC 116.115(b)(2)(C)]

6. **Equivalency of Methods.** The permit holder must demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the permit. Alternative methods shall be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the permit. [30 TAC 116.115(b)(2)(D)]
7. **Recordkeeping.** The permit holder shall maintain a copy of the permit along with records containing the information and data sufficient to demonstrate compliance with the permit, including production records and operating hours; keep all required records in a file at the plant site. If, however, the facility normally operates unattended, records shall be maintained at the nearest staffed location within Texas specified in the application; make the records available at the request of personnel from the commission or any air pollution control program having jurisdiction; comply with any additional recordkeeping requirements specified in special conditions attached to the permit; and retain information in the file for at least two years following the date that the information or data is obtained. [30 TAC 116.115(b)(2)(E)]
8. **Maximum Allowable Emission Rates.** The total emissions of air contaminants from any of the sources of emissions must not exceed the values stated on the table attached to the permit entitled "Emission Sources--Maximum Allowable Emission Rates." [30 TAC 116.115(b)(2)(F)]
9. **Maintenance of Emission Control.** The permitted facilities shall not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. The permit holder shall provide notification for upsets and maintenance in accordance with 30 TAC 101.201, 101.211, and 101.221 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements; Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements; and Operational Requirements). [30 TAC 116.115(b)(2)(G)]
10. **Compliance with Rules.** Acceptance of a permit by an applicant constitutes an acknowledgment and agreement that the permit holder will comply with all rules, regulations, and orders of the commission issued in conformity with the TCAA and the conditions precedent to the granting of the permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern and be the standard by which compliance shall be demonstrated. Acceptance includes consent to the entrance of commission employees and agents into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the permit. [30 TAC 116.115(b)(2)(H)]
11. **This** permit may not be transferred, assigned, or conveyed by the holder except as provided by rule. [30 TAC 116.110(e)]
12. **There** may be additional special conditions attached to a permit upon issuance or modification of the permit. Such conditions in a permit may be more restrictive than the requirements of Title 30 of the Texas Administrative Code. [30 TAC 116.115(c)]
13. **Emissions** from this facility must not cause or contribute to a condition of "air pollution" as defined in Texas Health and Safety Code (THSC) 382.003(3) or violate THSC 382.085. If the executive director determines that such a condition or violation occurs, the holder shall implement additional abatement measures as necessary to control or prevent the condition or violation.
14. **The** permit holder shall comply with all the requirements of this permit. Emissions that exceed the limits of this permit are not authorized and are violations of this permit.

## **Special Conditions**

Permit Numbers 9015 and PSDTX325M2

### **Emission Standards, Fuel Specifications, and Operating Requirements**

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," (MAERT) and those sources are limited to the emission limits and other conditions specified in that attached table. The annual rates are based on a rolling 12-month period.

If one emission rate limitation should be more stringent than another emission rate limitation, the more stringent limitation shall govern and be the standard by which compliance will be demonstrated. **(2/98)**

2. Compliance with the emission limitations for emission points in Special Condition No. 1 shall be determined by the test methods and procedures as set out in Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Method 5, Determination of Particulate Matter (PM) Emissions from Stationary Sources; Method 6, Determination of Sulfur Dioxide (SO<sub>2</sub>) Emissions from Stationary Sources; Method 7, Determination of Nitrogen Oxides (NO<sub>x</sub>) Emissions from Stationary Sources; Method 9, Visual Determination of the Opacity of Emissions from Stationary Sources; and Method 10, Determination of Carbon Monoxide (CO) Emissions from Stationary Sources and procedures as set forth in 40 CFR ' 60.48Da and 40 CFR ' 60.50Da. **(2/09)**
3. A copy of this permit shall be kept at the plant site and made available at the request of personnel from the Texas Commission on Environmental Quality (TCEQ) or any air pollution control agency with jurisdiction. In addition, the holder of this permit shall physically identify and permanently mark in a conspicuous location all equipment that has the potential of emitting air contaminants as follows:
  - A. The facility identification numbers as submitted to the Emissions Inventory Section of the TCEQ.
  - B. The emission point numbers (EPNs) as listed on the maximum allowable emission rates table. **(2/98)**
4. This facility shall comply with all requirements of the U.S. Environmental Protection Agency (EPA) regulations in 40 CFR Part 60, Subparts A, Da, and Y on Standards of Performance for New Stationary Sources promulgated for Electric Utility Steam Generating Units and Coal Preparation Plants. **(2/98)**
5. Fuel fired in the Steam Generator designated as EPN 1 is limited to sub-bituminous coal and confiscated narcotics only. The firing of confiscated narcotics in EPN 1 is limited to

## Special Conditions

Permit Numbers 9015 and PSDTX325M2

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200 pounds per hour (lbs/hr) or 9.6 tons per year (tpy). However, during the times of initial startup and flame stabilization No. 2 fuel oil may be used. The No. 2 fuel oil contaminated soil and kitty litter generated within the Oklaunion Power Plant may also be used as fuel at the maximum firing rate of 200 lbs/hr limited to 150 tpy as well as approximately 5,000 gallons of No. 2 fuel oil and water mixture quarterly which will be dumped on top of the coal pile at the reclaimer. The oil and water mixture activity will continue until the monitoring wells meet remediation standards. **(2/12)**

6. Emission concentrations of NO<sub>x</sub>, CO, SO<sub>2</sub>, and opacity from the stack gases of the Steam Generator designated as EPN 1 are based upon the design capacity maximum heat input of 6,800 million British thermal units (MMBtu) per hour and shall not exceed the following limits:

Pollutant	Emission Rate
NO <sub>x</sub>	0.50 lb/MMBtu (30-day rolling average)
CO	0.07 lb/MMBtu (30-day rolling average)
SO <sub>2</sub>	0.50 lb/MMBtu (3-hour rolling average)

Opacity of emissions from EPN 1 shall not exceed 20 percent with one six-minute average opacity per hour not to exceed 27 percent during the times of soot blowing. Limitations are in accordance with the exception of 40 CFR § 60.42Da (b) and in accordance with the limitations and conditions specified in Title 30 Texas Administrative Code (30 TAC) ' 111.111(a)(1)(E). **(2/09)**

### Initial Determination of Compliance

7. Compliance testing for NO<sub>x</sub>, SO<sub>2</sub>, CO, PM, and opacity was completed on March 24-27, 1987. **(2/98)**

### Continuous Determination of Compliance

8. The permittee shall install and operate continuous opacity, SO<sub>2</sub>, NO<sub>x</sub>, and oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>) monitors in EPN 1 in accordance with 40 CFR § 60.49Da. The O<sub>2</sub> or CO<sub>2</sub> instruments shall continuously record flue gas O<sub>2</sub> or CO<sub>2</sub> concentrations, in parts per million by volume, as best available control technology for furnace lowest excess air operation. The permittee shall report the opacity, SO<sub>2</sub>, and NO<sub>x</sub> monitoring data in the manner prescribed in 40 CFR § 60.51Da. However, the SO<sub>2</sub> monitoring data shall consist of three-hour rolling averages considering each hour and the two preceding hours rather

than 30-day rolling averages. The permittee shall report O<sub>2</sub> or CO<sub>2</sub> monitoring which coincides with periods of excess NO<sub>x</sub> emissions during periods when the continuous NO<sub>x</sub> monitor is not in operation. In addition, the permittee shall install and operate a monitor accurate to  $\pm 10$  percent to continuously measure and record CO concentrations in EPN 1. All continuous monitoring readings in excess of the CO emission limitations in Special Condition No. 1 shall be reported in accordance with 40 CFR § 60.7(c) and (d).

- A. Allowable emissions of NO<sub>x</sub> are enforceable on a 30-day rolling average according to the standards, methods, procedures, and requirements of 40 CFR § 60.48Da. Allowable emissions of SO<sub>2</sub> are enforceable on a three-hour rolling average.
  - B. The permittee shall install and operate the continuous opacity monitor on EPN 1 in accordance with Appendix B, Performance Specification No. 1, Performance Specifications, and Specification Test Procedures for Transmissometer Systems for Continuous Measurement of the Opacity of Stack Emissions.
  - C. The continuous monitoring data may, at the discretion of the permitting authority, be used to determine violations of the conditions in this permit.
9. PM and PM<sub>10</sub> equal to or less than 10 microns in diameter from Unit 1 Boiler will be controlled with an electrostatic precipitator (ESP). The ESP shall be operated and maintained according to the data specified on Table 12 submitted on April 14, 1999 of the permit file and in a manner such that the opacity of the emissions will be minimized. **(6/99)**
10. The permittee shall allow representatives of the state environmental control agency or representatives of the EPA upon the presentation of credentials:
- A. To enter upon the permittee's premises or other premises under the control of the permittee where an air pollutant source is located or in which any records are required to be kept under the terms and conditions of the permit;
  - B. To have access to and be able to copy at reasonable times any records required to be kept under the terms and conditions of this permit or the Act;
  - C. To inspect at reasonable times any monitoring equipment or monitoring method required in this permit;
  - D. To sample at reasonable times any emission of pollutants; and
  - E. To perform at reasonable times an operation and maintenance inspection of the permitted source. **(2/98)**

### **Additional Emission Control Requirements**

11. The permittee shall reduce uncontrolled SO<sub>2</sub> emissions by a minimum of 70 percent in accordance with 40 CFR § 60.43Da. Compliance shall be determined by 40 CFR § 60.48Da and 40 CFR § 60.50Da. **(2/98)**
12. The permittee shall control all fugitive PM emissions and shall employ the following work practice standards as necessary such that the specified opacity limitation is not exceeded.
  - A. The permittee shall apply water and compaction techniques to any active or inactive coal storage pile, as necessary, to control fugitive emissions within the opacity limitations required by Special Condition No. 1.
  - B. Fugitive PM emissions from any active or inactive coal storage pile designated as EPNs FS4 and FS5 shall not exceed any opacity limitation required by Special Condition No. 1.
  - C. When equipment is actively working the limestone and/or coal storage piles, the opacity of emissions shall not exceed 20 percent.
  - D. The opacity of emissions associated with the operation of the telescopic chute shall not exceed 20 percent.
  - E. The permittee shall pave all permanent on-site roads and shall water all temporary on-site roads, as necessary, to control fugitive dust. Fugitive PM emissions from on-site roads shall not exceed an opacity limitation of 20 percent.
  - F. Fugitive emissions at the transfer points and unloading area of EPNs FS6, FS7, and FS8 shall be controlled by means of venting the areas around those points through a bag filter collection system. **(7/05)**
  - G. The permittee shall utilize a wet dust extractor as needed except during periods of its maintenance to control the transfer point at the boiler bins. **(7/05)**
  - H. The transfer point from Conveyor 5A to Conveyor 6A shall be controlled by water spray with a biodegradable dust control additive. **(2/09)**
  - I. The following transfer points shall be partially enclosed: Conveyor 2 to Silo 1A; Conveyor 2 to Conveyor 2A; Conveyor 2A to Silo 1B; Conveyor 5B to Conveyor 5A; Conveyor 4 to Conveyor 5A. **(7/05)**



- J. The permittee shall utilize bag filter collection systems on the storage silos of EPNs FS10A and FS10B. **(7/05)**
  - K. The permittee shall utilize water sprays and a partial enclosure at the coal car dumper. **(2/09)**
  - L. A biodegradable dust control additive shall be sprayed onto the material at the transfer points from the vibratory feeders to Conveyor 1A, the transfer point from Conveyor 1A to Conveyor 1, and as the material travels on Conveyor 1.
    - i. Except for maintenance access points in the cover, Conveyor 1 shall be enclosed and sufficient chemical shall be applied to ensure emissions are controlled through carryover chemical at the Conveyor 1 to Conveyor 2 and Conveyor 1 to Conveyor 3 transfers. **(2/09)**
  - M. The following conveyor transfer points shall be fully enclosed: Conveyor 6A to surge bin; surge bin to Conveyor T3A; Conveyor T3A to Conveyor 7A; and silos to Conveyor 5B. **(2/09)**
13. The permittee shall control all fugitive PM emissions during construction and shall employ the following work practice standards such that an opacity limitation of 20 percent is not exceeded:
- A. Temporary roads and other disturbed areas on the plant site shall be watered as necessary to control fugitive dust.
  - B. All on-site construction roads shall either be watered or coated with emulsions or a sealer with a non-dusting wear surface as necessary to control fugitive dust.
  - C. The borrow pit and stockpiles resulting from earthwork shall be graded and/or seeded. **(2/98)**
14. Within 45 days of the approval of this permit revision, the holder of this permit shall conduct a performance test for the ESP. The performance test will involve three test periods of no less than two hours in duration. The data collected shall include the following: (1) auto voltage controller (AVC)/transformer rectifier buss section primary and secondary voltages, current, and buss section power; (2) stack exit opacity readings for the same test periods; and (3) individual AVC tuning parameters correlating to the same test periods. **(6/99)**

## **Recordkeeping**

15. Records of the continuous monitoring data pursuant to Special Condition No. 8 shall be kept and made available for inspection for a minimum of five years after each readout. **(2/12)**
16. Baseline ESP performance data shall be maintained on site and made available upon request by the Executive Director of the TCEQ or any local air pollution control program having jurisdiction. **(6/99)**
17. The permittee shall retain records of all information indicating operating parameters as specified in the special conditions of this permit including records of kitty litter, contaminated soil, and No. 2 fuel oil/water mixture fired in the steam generator for a minimum of five years from the date of recording. **(2/12)**

### **Reporting**

18. All continuous monitoring readings in excess of the emission limitations in Special Condition No. 1 shall be reported in accordance with 40 CFR § 60.51Da. **(2/98)**
19. Within 60 days of the revision of this permit, the holder of this permit shall submit baseline ESP performance data specified in Special Condition No. 14 of this permit to the TCEQ Abilene Regional Office. **(6/99)**

### **Maintenance, Startup, and Shutdown (MSS) (2/12)**

20. This permit authorizes the emissions from the planned MSS activities listed in Attachment A, Attachment B, or the MAERT attached to this permit. Attachment A identifies the inherently low emitting (ILE) planned maintenance activities that this permit authorizes to be performed. Attachment B identifies the planned maintenance activities that are non-ILE planned maintenance activities that this permit authorizes to be performed.
21. When a planned maintenance activity identified in Attachment B is associated with a volatile organic compound (VOC) liquid storage facility and may result in VOC emissions from that facility, the permit holder shall not open that facility to the atmosphere in connection with the planned maintenance activity until the VOC liquids are removed from that facility to the maximum extent practicable.
22. No vacuum pump on a vacuum truck that is used to move solids (such as ash) during planned maintenance activities shall be operated unless the vacuum system exhaust is controlled by a filtering system.
23. The emissions limits that are identified in Special Condition No. 6 do not apply during planned MSS activities.

24. The holder of this permit shall minimize emissions during planned MSS activities by operating the facility and associated air pollution control equipment in accordance with good air pollution control practices, safe operating practices, and protection of the facility and associated air pollution control equipment.
25. Emissions during planned startup and shutdown activities will be minimized by limiting the duration of operation in planned startup and shutdown modes as follows:
  - A. A planned startup of one of the boilers begins when fans are placed in service for the initiating of combustion and is complete when the boiler has achieved the lowest sustainable load for at least 60 consecutive minutes while coal is being fired. Normal startup shall not exceed 2880 minutes. An extended startup is allowed for greater than 2880 minutes after a major outage, but the cumulative annual minutes of extended startups shall not exceed 18,000 minutes.
  - B. A planned shutdown of one of the boilers begins when the boiler has dropped below the lowest sustainable load for at least 30 consecutive minutes and is complete 24 hours after combustion has ceased. Each shutdown shall not exceed 2880 minutes.
26. Compliance with the emissions limits for planned MSS activities identified in the MAERT attached to this permit may be demonstrated as follows.
  - A. For each pollutant emitted during ILE planned maintenance activities, the permit holder shall annually confirm the continued validity of the estimated potential to emit represented in the permit application for all ILE planned maintenance activities. The total emissions from all ILE planned maintenance activities (See Attachment A) shall be considered to be no more than the estimated potential to emit for those activities that are represented in the permit application.
  - B. For each pollutant emitted during non-ILE planned maintenance activities (See Attachment B) whose emissions are measured using a continuous emission monitoring system (CEMS), as per Special Condition No. 27A, the permit holder shall do the following for each calendar month.
    - i. Compare the pollutant's short-term (hourly) emissions during planned maintenance activities as measured by the CEMS to the applicable short-term planned MSS emissions limit in the MAERT.
  - C. For each pollutant emitted during non-ILE planned maintenance activities (See Attachment B) whose emissions occur through a stack, but are not measured using CEMS

as per Special Condition No. 27A, the permit holder shall do the following for each calendar month.

- i. Determine the total emissions of the pollutant through the stack that result from such non-ILE planned maintenance activities in accordance with Special Condition No. 27B.
  - D. For each pollutant emitted during non-ILE planned maintenance activities (See Attachment B) whose emissions do not occur through a stack, the permit holder shall do the following for each calendar month.
    - i. Determine the total emissions of the pollutant from such non-ILE planned maintenance activities in accordance with Special Condition No. 27B.
    - ii. Once monthly emissions have been determined in accordance with Special Condition No. 26D(i) for 12 months after the MSS permit amendment has been issued, the permit holder shall compare the sum of the rolling 12-month emissions for the pollutant for all non-ILE planned maintenance activities to the annual EPN MSS-FUG emissions limit for the pollutant in the MAERT.
27. The permit holder shall determine the emissions during planned MSS activities for use in Special Condition No. 26 as follows.
- A. For each pollutant whose emissions during normal facility operations are measured with a CEMS that has been certified to measure the pollutant's emissions over the entire range of a planned MSS activity, the permit holder shall measure the emissions of the pollutant during the planned MSS activity using the CEMS.
  - B. For each pollutant not described in Special Condition No. 27A, the permit holder shall calculate the pollutant's emissions during all occurrences of each type of planned MSS activity for each calendar month using the frequency of the planned MSS activity identified in work orders or equivalent records and the emissions of the pollutant during the planned MSS activity as represented in the planned MSS permit application. In lieu of using the emissions of the pollutant during the planned MSS activity as represented in the planned MSS permit application to calculate such emissions, the permit holder may determine the emissions of the pollutant during the planned MSS activity using an appropriate method, including but not limited to, any of the methods described in paragraphs i through iv below, provided that the permit holder maintains appropriate records supporting such determination:
    - i. Use of emission factor(s), facility-specific parameter(s), and/or engineering knowledge of the facility's operations.

- ii. Use of emissions data measured (by a CEMS or during emissions testing) during the same type of planned MSS activity occurring at or on a similar facility, and correlation of that data with the facility's relevant operating parameters, including, but not limited to, electric load, temperature, fuel input, and fuel sulfur content.
  - iii. Use of emissions testing data collected during a planned MSS activity occurring at or on the facility, and correlation of that data with the facility's relevant operating parameters, including, but not limited to, electric load, temperature, fuel input, and fuel sulfur content.
  - iv. Use of parametric monitoring system data applicable to the facility.
28. With the exception of the emission limits in the MAERT attached to this permit, the permit conditions relating to planned MSS activities do not become effective until 180 days after issuance of the permit amendment that added such conditions.
29. Opacity greater than 20 percent from the boiler is authorized when the permit holder complies with the planned MSS duration limitations in Special Condition No. 25 and the applicable work practices identified below.
- A. Emissions during planned startup and shutdown activities shall be minimized by employing the following work practices: During planned startup and shutdown activities, the permit holder shall comply with the parts of the boiler and ESP manufacturers' operating procedures or the procedures in the permittee's written Standard Operating Procedures manual that impact opacity, and shall operate the boiler and ESP in a manner consistent with those procedures to minimize opacity by placing the ESP into service during planned startups once the outlet gas temperature to the ESP is greater than 300°F, or removing the ESP from service as late as possible during planned shutdowns. The boiler and ESP manufacturers' operating procedures or written Standard Operating Procedure manual shall be located on-site and available to the TCEQ regional investigator.
  - B. Periods of opacity greater than 20 percent from planned online and offline maintenance activities identified in Attachment A or B are authorized for no more than 600 minutes in a calendar year.
  - C. The permit holder shall keep records to identify periods of planned MSS, the opacity measured by the continuous opacity monitoring system for the duration of the planned startup and shutdown and the maintenance activities identified in Attachment A or B and the work practices in Special Condition No. 29A that are followed during the planned MSS activities for the purpose of demonstrating compliance with this permit special condition.

- D. For periods of planned MSS other than those that are subject to Paragraph A of this condition, 30 TAC §§ 111.111 and 111.153, and Chapter 101, Subchapter F apply.

Dated February 3, 2012

## Attachment A

Permit Nos. 9015 and PSDTX325M2

## Inherently Low Emitting (ILE) Planned Maintenance Activities

Planned Maintenance Activity	Emissions				
	VOC	NO <sub>x</sub>	CO	PM	SO <sub>2</sub>
Water-based washing	x				
Miscellaneous particulate filter maintenance <sup>1</sup>				x	
Degassing for maintenance of storage vessels storing material with vapor pressure <0.5 psia, or material with vapor pressure >0.5 psia that does not require clearing of the vessels to allow for entry of personnel	x				
Boiler general maintenance <sup>2</sup>				x	
Management of sludge from pits, ponds, sumps, and water conveyances <sup>3</sup>	x				
Organic chemical usage	x				
Inspection, repair, replacement, adjusting, testing, and calibration of analytical equipment, process instruments including sight glasses, meters, gauges, and CEMS.	x	x	x		x
Deslagging of boiler <sup>4</sup>	x	x	x	x	
Material handling system maintenance <sup>5</sup>				x	
Small equipment and fugitive component repair/replacement in VOC service <sup>6</sup>	x				
Storage tank/vessel maintenance [<0.5 psia vapor pressure (vp) and not requiring clearing for personnel entry]	x				

Notes:

1. Includes, but is not limited to, baghouse filters, ash silo/transfer filters, coal handling filters, process-related building air filters, and combustion turbine air intake filters.
2. Includes pre-heater basket handling and maintenance, refractory change-out, fan maintenance and balancing, damper, air heater, and soot blower maintenance, and any other general boiler maintenance that does not exceed the worst-case emissions representation in the application.
3. Includes, but is not limited to, management by vacuum truck/dewatering of materials in open pits and ponds, and sumps, tanks and other closed or open vessels. Materials managed include water and sludge mixtures containing miscellaneous VOCs such as diesel, lube oil, and other waste oils.
4. Includes, but is not limited to, explosive blasting, clinker shooting, and other boiler deslagging activities; does not include dry abrasive blasting that may occur in boilers.
5. Material handling system equipment includes, but is not limited to, silos, transport systems, coal bunkers, coal crushing equipment, coal handling, nuvafeders, hoppers, FGD sludge handling system. Materials handled include coal, ash, limestone, gypsum, and sorbents.
6. Includes, but is not limited to, (i) repair/replacement of pumps, compressors, valves, pipes, flanges, transport lines, filters and screens in natural gas, fuel oil, diesel oil, ammonia, lube oil, and gasoline service, and (ii) vehicle and mobile equipment maintenance that may involve small VOC emissions, such as oil changes, transmission service, and hydraulic system service

Dated February 3, 2012



## Attachment B

### Permit Nos. 9015 and PSDTX325M2 Non-ILE Planned Maintenance Activities

Planned Maintenance Activity	EPN	Emissions				
		VOC	NO <sub>x</sub>	CO	PM	SO <sub>2</sub>
Combustion optimization <sup>1</sup>	1	x	x	x	x	x
Vacuum truck solids loading <sup>2</sup>	MSS-FUG				x	
Vacuum truck solids unloading	MSS-FUG				x	
Dump truck grit loading	MSS-FUG				x	
Dump truck grit unloading	MSS-FUG				x	
Degassing for maintenance of storage vessels storing gasoline or other material with vapor pressure >0.5 psia that requires clearing of the vessels to allow for entry of personnel (Only once per year allowed for the gasoline tank)	MSS-FUG	x				
PM control device maintenance - unit online	1				x	
Use of fans during maintenance - unit offline	1				x	
Smoke test boiler	1				x	

Notes:

1. Includes, but is not limited to (i) leak and operability checks, (ii) balancing, and (iii) tuning activities that occur during seasonal tuning or after the completion of initial construction, a burner change-out, a major repair, maintenance to a burner, or other similar circumstances.
2. Includes site-wide solids vacuuming operations (e.g. baghouse, ESP, ducts, furnace, loop seals, stripper coolers, and airlocks).

Dated February 3, 2012

# Emission Sources - Maximum Allowable Emission Rates

Permit Numbers 9015 and PSDTX325M2

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

## Air Contaminants Data

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour (4)	TPY (5)
1	Steam Generator 6,800 MMBtu/hr (6)(7)	NO <sub>x</sub>	3,400.0 (30-day rolling average)	14,892.0
		SO <sub>2</sub>	3,410.0 (3-hour rolling average)	14,936.0
		PM (front-half)	205.4	900.0
		PM/PM <sub>10</sub> /PM <sub>2.5</sub> (front-half) (MSS)	1,440	-
		CO	444.1 (30-day rolling average)	1,945.0
		VOC	4.4	19.3
Fugitive PM Sources (8)				
FS1	Rotary Car Dump	PM	2.38	1.74
		PM <sub>10</sub>	1.12	0.82
		Opacity	10 percent	
FS2	Transfer - Coal to Storage	PM	13.28	9.69
		PM <sub>10</sub>	6.26	4.57
		Opacity	10 percent	
FS3	Transfer - Coal Storage to Boiler Bins	PM	1.63	2.98
		PM <sub>10</sub>	0.77	1.41
		Opacity	10 percent	
FS4	Active Coal Pile	PM	4.8	20.9
		Opacity	20 percent	

## Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour (4)	TPY (5)
FS5	Inactive Coal Pile	PM	4.8	21.2
		Opacity	10 percent	
FS6	Limestone Car Dumper	PM	2.7	0.4
		No visible emissions		
FS7	Transfer - Limestone to Storage	PM	0.4	<0.1
		No visible emissions		
FS8	Transfer - Limestone Storage to Mill Bins	PM	0.2	<0.1
		No visible emissions		
FS9	Inactive Limestone Storage	PM	<0.1	<0.1
		No visible emissions		
FS10A	Fly Ash Handling (ESP)	PM	18.0	3.3
		Opacity	10 percent	
FS10B	Activated Carbon (9)	PM	18.0	0.6
		Opacity	10 percent	
Total Fugitive PM Source Emissions (8)		PM	-	61.1
MSS-FUG	MSS Fugitives	VOC	275.0	1.54
		PM	4.2	2.75
		PM <sub>10</sub>	1.57	1.01
		PM <sub>2.5</sub>	0.24	0.15
		NO <sub>x</sub>	0.02	<0.01
		CO	0.01	<0.01
		SO <sub>2</sub>	0.02	<0.01

Emission Sources - Maximum Allowable Emission Rates

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3) VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
NO<sub>x</sub> - total oxides of nitrogen  
SO<sub>2</sub> - sulfur dioxide  
PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter  
CO - carbon monoxide
- (4) Planned maintenance, startup, and shutdown (MSS) lbs/hour emissions for all pollutants are authorized even if not specifically identified as MSS. During any clock hour that includes one or more minutes of planned MSS, that pollutant's maximum hourly emission rate shall apply during that clock hour.
- (5) Compliance with annual emission rates is based on a 12-month rolling period. Annual emission rates for each source include planned MSS emissions.
- (6) The steam generator is limited to 20 percent opacity with one six-minute average opacity per hour not to exceed 27 percent in accordance with the exception of Title 40 Code of Federal Regulations § 60.42da(b) and in accordance with the limitations and conditions specified in Title 30 Texas Administrative Code § 111.111(a)(1)(E).
- (7) Pollution Control Project Standard Permit 112550 authorizes additional rates of 19.29 lb/hr and 9.49 TPY PM/PM<sub>10</sub>/PM<sub>2.5</sub> emissions from EPN 1.
- (8) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.
- (9) Pollution Control Project Standard Permit 112550 authorizes emission rates of 0.11 lb/hr and 0.49 TPY PM; 0.09 lb/hr and 0.41 TPY PM<sub>10</sub>; and 0.03 lb/hr and 0.11 TPY PM<sub>2.5</sub> emissions from EPN FS10B.

Date: February 11, 2014